

QUESTIONS AND ANSWERS REGARDING THE INITIATIVE ENTITLED:
**An Interim Zoning Regulation Limiting Subdivisions to a Density of 1 Residence per 2 Acres
for a Period of One Year**

Interim zoning regulation components:

- Enacts countywide interim (temporary) zoning.
- The regulation states that no subdivision application may be approved that provides for building of residences at a higher density than one dwelling unit per two acres.
- The regulation applies to all subdivision applications that have not yet received approval or conditional approval.
- All other zoning and subdivision requirements must still be met.

What is interim zoning?

- It is authorized under 76-2-206 MCA and it allows for zoning to be put in place for a limited period of one year. Interim zoning regulations may be extended for one more year by a vote of the qualified electors of Ravalli County or the Board of County Commissioners. Only one such extension may be made.
- It allows for adoption of an interim zoning map or regulation as an emergency measure in order to promote the public health, safety, morals, and general welfare if the purpose of the regulation is to regulate uses and related matters that constitute the emergency and the county is conducting studies or holding hearings to consider a growth policy or zoning regulations.

To what does the interim zoning regulation apply and when is it effective?

The interim zoning regulation was effective upon passage by the qualified voters and applies “to all subdivision preliminary plat applications that have not yet been approved or conditionally approved” by the Board of County Commissioners.

Will the interim zoning regulation apply to review of subdivisions that have not yet started the subdivision review process?

Yes, the interim zoning regulation applies to all subdivision preliminary plat applications that have not yet been approved or conditionally approved.

Will the interim zoning apply to all existing parcels in Ravalli County?

- The interim zoning regulation applies to all the unincorporated area of Ravalli County. However, by its language it only bars those subdivision preliminary plat applications that provide for building of residences at a higher density than one dwelling unit per two acres.
- The interim zoning regulation does not apply to 76-3-201 divisions of land that are exempt from the local regulation of subdivisions.
- The interim zoning regulation does apply to 76-3-207 exemptions, which are subject to applicable zoning regulations by the express wording of that statute.

How will the interim zoning regulation interact with other existing regulations and restrictions?

What effect will the interim zoning regulation have on parcels encumbered by existing covenants that address minimum lot size or density?

The County will enforce the interim zoning and if it is more restrictive, it will supersede residential density requirements in the covenants. Again, the interim zoning regulation only applies to those properties for which a preliminary plat subdivision application is filed. Enforcement of covenants will continue to be a function of those individuals and entities that are party to the covenants.

What effect will the interim zoning regulation have on parcels encumbered by citizen-petitioned / voluntary zoning districts?

Again, the interim zoning regulation only applies to those properties for which a preliminary plat subdivision application is filed. In those cases where zoned property undergoes subdivision review, the more restrictive regulation will apply. For example, if a voluntary zoning district allows for a density of one dwelling unit per one acre, and a subdivision application is proposed within the area covered by the interim zoning regulation as well, the more restrictive density requirement of one dwelling unit per two acres will apply.

How will the interim zoning regulation affect proposed citizen-petitioned / voluntary zoning districts?

Citizens can continue to pursue voluntary zoning districts. However, proposed subdivision applications within those districts will still be subject to the requirements of the interim zoning regulation as discussed above.

Under what conditions will the interim zoning regulation expire?

The interim zoning regulation automatically expires one (1) year from the effective date, unless the qualified voters of Ravalli County or Board of County Commissioners extends the interim zoning regulation for one more year.

Could a study of the emergency and a proposal for permanent zoning of a portion of the County (a rezoning request) be forwarded to the County for consideration by a private party?

Yes, such proposals can be submitted for review.

Is it a requirement that permanent zoning must be in place for interim zoning to expire?

No. Per the express language of 76-2-206, the interim zoning regulation automatically expires in one year, with a possible one-year extension.